

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYAN ALEXANDER ARCHILA  
MATEO,

Defendant.

CRIMINAL FILE NO.  
NO. 1:19-CR-115-2-TWT

**ORDER**

This is a criminal action. It is before the Court on the Report and Recommendation [Doc. 115] of the Magistrate Judge recommending denying the Defendant's Motion to Suppress Evidence [Doc. 61 & 104]. The facts of the case are set forth in the thorough and well-reasoned Report and Recommendation. There was no violation of United States v. Mitchell, 565 F. 3d 1347 (11<sup>th</sup> Cir. 2009) because any delay in securing the Phone Warrant did not cause a significant interference with the Defendant's possessory interest in the phone. In addition, the delay in obtaining the warrant was reasonable under the totality of the circumstances. There was abundant probable cause to obtain the Phone Warrant. There was no Miranda violation involved in obtaining the password to the Defendant's phone. The search of the Acura was not unduly prolonged and the necessity to impound the vehicle made a search of it inevitable. None of the Defendant's Objections to the Report

and Recommendation have any merit. The Court approves and adopts the Report and Recommendation as the judgment of the Court. The Defendant's Motion to Suppress Evidence [Doc. 61 & 104] are DENIED.

SO ORDERED, this 9 day of April, 2021.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge